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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/036,194	12/28/2001	James Edward Christensen	YOR9-2001-0554 (8728-538)	2835
46069	7590	11/27/2006	EXAMINER SHAW, PELING ANDY	
F. CHAU & ASSOCIATES, LLC 130 WOODBURY ROAD WOODBURY, NY 11797			ART UNIT 2144	PAPER NUMBER

DATE MAILED: 11/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/036,194

Applicant(s)

CHRISTENSEN ET AL.

Examiner

Peling A. Shaw

Art Unit

2144

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 September 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21, 23 and 41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21, 23 and 41 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1. Amendment received on 09/05/2006 has been entered into record. Claims 1 and 23 are amended. Claim 41 is new. Claims 1-21, 23 and 41 are currently pending.
2. Amendment received on 03/15/2006 was entered into record. Claims 32-39 were cancelled.

Priority

3. This application has claimed the benefit of 60/303,945 filed on 07/09/2001. The filing date is 12/28/2001.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-21 and 23 are rejected under 35 U.S.C. 102(e) as being anticipated by Engstrom (US 20020138286 A1), hereinafter referred as Engstrom.

- a. Regarding claim 1, Engstrom disclosed a method for providing access to an electronic profile of a first client to a second client comprising the steps of: creating a network accessible electronic profile of the first client, wherein the electronic profile is accessible by an active object, wherein the active object is bound to the electronic

profile (Fig. 8; abstract, paragraph 39); defining an access right of the second client, wherein the access right determines a portion of the electronic profile of available to the second client via the active object (paragraph 40: where access right is given to a second client to communicate); verifying an identity of the second client; and providing access to the portion electronic profile to the second client via the active object, wherein the active object is transferred to the second client from the first client (paragraph 23).

- b. Regarding claim 2, Engstrom disclosed the method of claim 1, further comprising the step of defining a second access right of a third client wherein the access right determines a portion of the electronic profile available to the third client via the active object (Fig. 8).
- c. Regarding claim 3, Engstrom disclosed the method of claim 1, wherein the active object is an network accessible active object (Fig. 8).
- d. Regarding claims 4 and 5, Engstrom disclosed the method of claim 1, wherein electronic profile comprises location information of the first client and wherein electronic profile comprises status information of the first client (paragraph 21: address).
- e. Regarding claim 6, Engstrom disclosed the method of claim 1, wherein electronic profile comprises a communication channel of the first client (paragraph 40: chat channel).
- f. Regarding claim 7, Engstrom disclosed the method of claim 1, wherein the step of defining the access right further comprises the step of defining the access right

according to a predefined access right specifying a portion of the electronic profile accessible to the second client (paragraphs 22-23).

- g. Regarding claim 8, Engstrom disclosed the method of claim 7, wherein the electronic profile is associated with one or more clients (Fig. 8).
- h. Regarding claim 9, Engstrom disclosed the method of claim 1, further comprising the step of limiting the portion of the electronic profile provided by the active object according to a preference of the second client (paragraph 18).
- i. Regarding claim 10, Engstrom disclosed the method of claim 1, wherein the active object enables the second client to contact the first client (paragraph 40).
- j. Regarding claim 11, Engstrom disclosed the method of claim 1, comprising the steps: specifying, in the electronic profile, a communication channel of the first client accessible to the second client; and establishing the communication channel between the first client and the second client upon selecting the communication channel, wherein the active object comprises means for selecting the communication channel (paragraph 40).
- k. Regarding claim 12, Engstrom disclosed the method of claim 1, wherein the electronic profile notifies the first client upon an access of the electronic profile (paragraph 18).
- l. Regarding claim 13, Engstrom disclosed the method of claim 1, wherein at least one of the first client and the second client is a role satisfied by one or more users (paragraphs 18 and 39).

- m. Regarding claim 14, Engstrom disclosed the method of claim 1, further comprising the step of specifying means for transacting funds (paragraphs 5 and 24).
- n. Regarding claim 15, Engstrom disclosed the method of claim 14, wherein the means for transacting funds is specified in the electronic profile (paragraph 24).
- o. Regarding claim 16, Engstrom disclosed the method of claim 14, further comprising the step of charging a fee for transacting funds between the first client and the second client (paragraph 25).
- p. Regarding claim 17, Engstrom disclosed the method of claim 14, wherein the means for transacting funds dynamically determines one of a source and a destination of funds of the first client according to a property of the transaction (paragraph 25).
- q. Regarding claim 18, Engstrom disclosed the method of claim 1, further comprising the step of authenticated the electronic profile (claim 27: by priority identity).
- r. Regarding claim 19, Engstrom disclosed the method of claim 1, further comprising the step of authenticating information disclosed by the electronic profile (paragraph 5).
- s. Regarding claims 20 and 21, Engstrom disclosed the method of claim 1, further comprising the step of automatically modifying the access right of the second client according to a variable defined in the electronic profile; and wherein the access right changes over time as a function of a relationship between the first party and the second party (paragraph 5: limit individual access).
- t. Claim 23 is of the same scope as claim 1. It is rejected for the same reasons as for claim 1.

Engstrom disclosed all limitations of claims 1-21 and 23. Claims 1-21 and 23 are rejected under 35 U.S.C. 102(e).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 41 is rejected under 35 U.S.C. 103(a) as being unpatentable over Engstrom in view of Bhoj et al. (US 6304892 B1), hereinafter referred as Bhoj.

- a. Engstrom shows claim 1 as above. Engstrom does not show storing a contract template, wherein the contract template comprises a plurality of roles and a plurality of access rights, wherein each role is associated with at least one access right; staffing each role with one of the first client and the second client, wherein the first client and the second client each provide access to corresponding electronic profiles accessible by corresponding active objects; and assigning access rights to the first client and second client according to the contract template and the active objects. However Engstrom does show staffing and assigning access right (paragraph 40).
- b. Bhoj shows using and storing contract templates derived from the predetermined access agreement to filter all the management data of the second data service system into the selective management data (claim 1-3) in an analogous art for the purpose of selective data exchanges across federated environments.

- c. It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify Engstrom's functions of generating personas with Bhoj's functions of selective data exchanges.
- d. The modification would have been obvious because one of ordinary skill in the art would have been motivated to use a limited set of data pertaining an individual entity per Engstrom (paragraph 18: dynamic profile) and Bhoj (abstract: selective management data) 's teaching in the form of personal profile for other's access per Engstrom (paragraph 18: dynamic profile for content or service provider)'s teaching or in the form or contract template for service agreement per Bhoj (claim 1-3: contract template for selective data access)'s teaching as both Engstrom and Engstrom are in the field of limiting data access and require similar implementation functionalities, e.g. dynamic profiles and contract template.

Together Engstrom and Bhoj disclosed all limitations of claim 41. Claim 41 is rejected under 35 U.S.C. 103(a).

Response to Arguments

6. Applicant's arguments filed on 09/05/2006 have been fully considered, but they are not persuasive.
- a. Applicant has argued that neither Engstrom nor Bhoj teaches providing access to the portion electronic profile to the second client via the active object, wherein the active object is transferred to the second client from the first client. Engstrom has disclosed (paragraphs 21, 23, 25, 28) generating and submitting personality profile for accessing to on-line content and/or services. As per Fig. 1 of Engstrom, the personality profile is directed from client 1 (116: a client) to client 2 (106: service provided).
 - b. Applicant has further argued that neither Engstrom nor Bhoj teaches active object enables the second client to contact the first client. As quoted from paragraph of Engstrom "In the context of chat hosting service 832, personality profile service 825 facilitates generation of unique and/or customizable personas for use by a first client in connection with a chat session between the first client and a second or more clients", the personality profile service is used in connecting the first client and a second or more clients with a chat session. Thus the personality profile service provides an enablement to the connection of the first client and a second or more clients.
 - c. Applicant has amended the claim set. Examiner has examined the amended claim language and found the previous applied prior arts are still applicable. The claim rejection sections are updated to reflect the current claim language as above.

- d. It is the Examiner's position that Applicant has not submitted claims drawn to limitations, which define the operation and apparatus of Applicant's disclosed invention in manner, which distinguishes over the prior art. As it is Applicant's right to claim as broadly as possible their invention, it is also the Examiner's right to interpret the claim language as broadly as possible. It is the Examiner's position that the detailed functionality that allows for Applicant's invention to overcome the prior art used in the rejection, fails to differentiate in detail how these features are unique (see item a in section 4 and items a-d in section 5). As Engstrom has shown generating and submitting personality profiles for accessing content and/or services and Bhoj has further shown in more detail the data exchange of service management system. It is clear that Applicant must be able to submit claim language to distinguish over the prior arts used in the above rejection sections that discloses distinctive features of Applicant's claimed invention. It is suggested that Applicant compare the original specification and claim language with the cited prior art used in the rejection section above to draw an amended claim set to further the prosecution.
- e. Failure for Applicant to narrow the definition/scope of the claims and supply arguments commensurate in scope with the claims implies the Applicant's intent to broaden claimed invention. Examiner interprets the claim language in a scope parallel to the Applicant in the response. Examiner reiterates the need for the Applicant to more clearly and distinctly define the claimed invention.

Conclusion

7. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Refer to the enclosed PTO-892 for details.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peling A. Shaw whose telephone number is (571) 272-7968. The examiner can normally be reached on M-F 8:00 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William C. Vaughn can be reached on (571) 272-3922. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

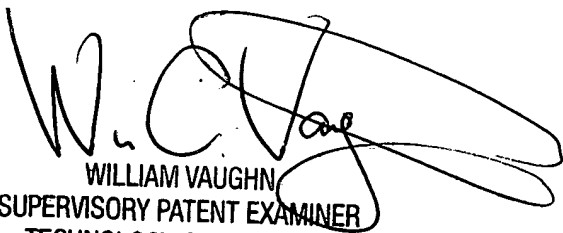
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

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